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STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

October 14, 2010

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

Hawaii

Issuance of a Right-of-Entry Permit to the Department of Accounting and General Services on State Encumbered Lands, Dams and Reservoirs on Hawaii, Dam Maintenance and Remediation Improvements for Hawi No. 3 Dam and Reservoir, Hawi, Hawaii County, Hawaii; Tax Map Keys: (3) 5-5-3:4 & 5

APPLICANT:

Department of Accounting and General Services (D.A.G.S.), whose business and mailing address is: 1151 Punchbowl Street; Honolulu, Hawaii 96813, on behalf of the Department of Land and Natural Resources (DLNR).

LEGAL REFERENCE:

Section 171-55, Hawaii Revised Statutes, as amended.

LOCATION:

Portions of Government lands, Dams and Reservoirs on Hawaii, Dam Maintenance and Remediation Improvements for Hawi No. 3 Dam and Reservoir, Hawi, Hawaii County; Tax Map Keys: (3) 5-5-3:4 & 5; as shown on the attached map labeled Exhibit A.

AREA:

168.72 acres, more or less

ZONING:

State Land Use District:	Agriculture
County of Hawaii CZO:	Agriculture (A-20A)

TRUST LAND STATUS

Section 5(B) lands of the Hawaii Admission Act
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution:
YES _____ NO X

CURRENT USE STATUS:

Encumbered by GL5572 to Boteilho Hawaii Enterprises, for pasture purposes, and RP S-6641 to Surety Kohala Corporation for road, ditch, powerline, pumpline and reservoir right-of-way.

CHARACTER OF USE:

Assessment, maintenance and remediation of dam, reservoir and water infrastructure.

TERM OF RIGHT-OF-ENTRY:

One (1) year.

CONSIDERATION:

Gratis.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

In accordance with the Division of Land Management's Environmental Impact Statement Exemption List, approved by the Environmental Council and dated April 28, 1986, the subject request is considered exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1 that states: "Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing." See Exhibit B.

DCCA VERIFICATION:

Government agency; not applicable.

APPLICANT REQUIREMENTS:

Applicant shall be required to:

- 1) Obtain written concurrence from tenants prior to any activity on the subject lands.

REMARKS:

Act 213, SLH 2007, Item K-6, as amended by Act 158, SLH 2008 appropriated \$14,530,000 for the Dam Assessments, Maintenance and Remediation Improvements, Statewide, for the purpose of satisfying the State's obligations under Act 262, the "Hawaii Dam and Reservoir Safety Act of 2007".

Governor's Memorandum, dated December 18, 2008, delegated this funding to D.A.G.S. Since DLNR, through its Engineering Division's Dam Safety Program, is responsible for the inspection and regulation of all of the State's dams and reservoirs, D.A.G.S. Public

Works Division was delegated the responsibility for managing the assessment, repair, alteration and/or removal of the dams and reservoirs under the Department's jurisdiction because there appeared to be the potential for a "conflict of interest" for DLNR to also be responsible for the party conducting the actual assessment and remediation of these dams and reservoirs.

Part of this \$14,530,000 funding is to remediate the Hawi No. 3 Dam and Reservoir on Hawaii. To complete the design and construction of this CIP project, the D.A.G.S. is requesting a right-of-entry for one (1) year. See Exhibit C.

Comments were solicited from the State Historic Preservation Division and they had no objections. There are no pertinent issues or concerns. Staff recommends gratis consideration for the issuance of the requested right-of-entry permit since the applicant is a government agency. Staff is also recommending authorizing the Chairperson to extend the right-of-entry beyond the one (1) year, in the event that this D.A.G.S. project experiences unanticipated delays.

RECOMMENDATION:

That the Board, subject to the Applicant fulfilling the Applicant requirement above, authorize the issuance of a right-of-entry permit to the Department of Accounting and General Services covering the subject areas under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

1. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time;
2. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State; and
3. In the event the projects experience unanticipated delays, authorize the Chairperson to extend the right-of-entry.

Respectfully Submitted,



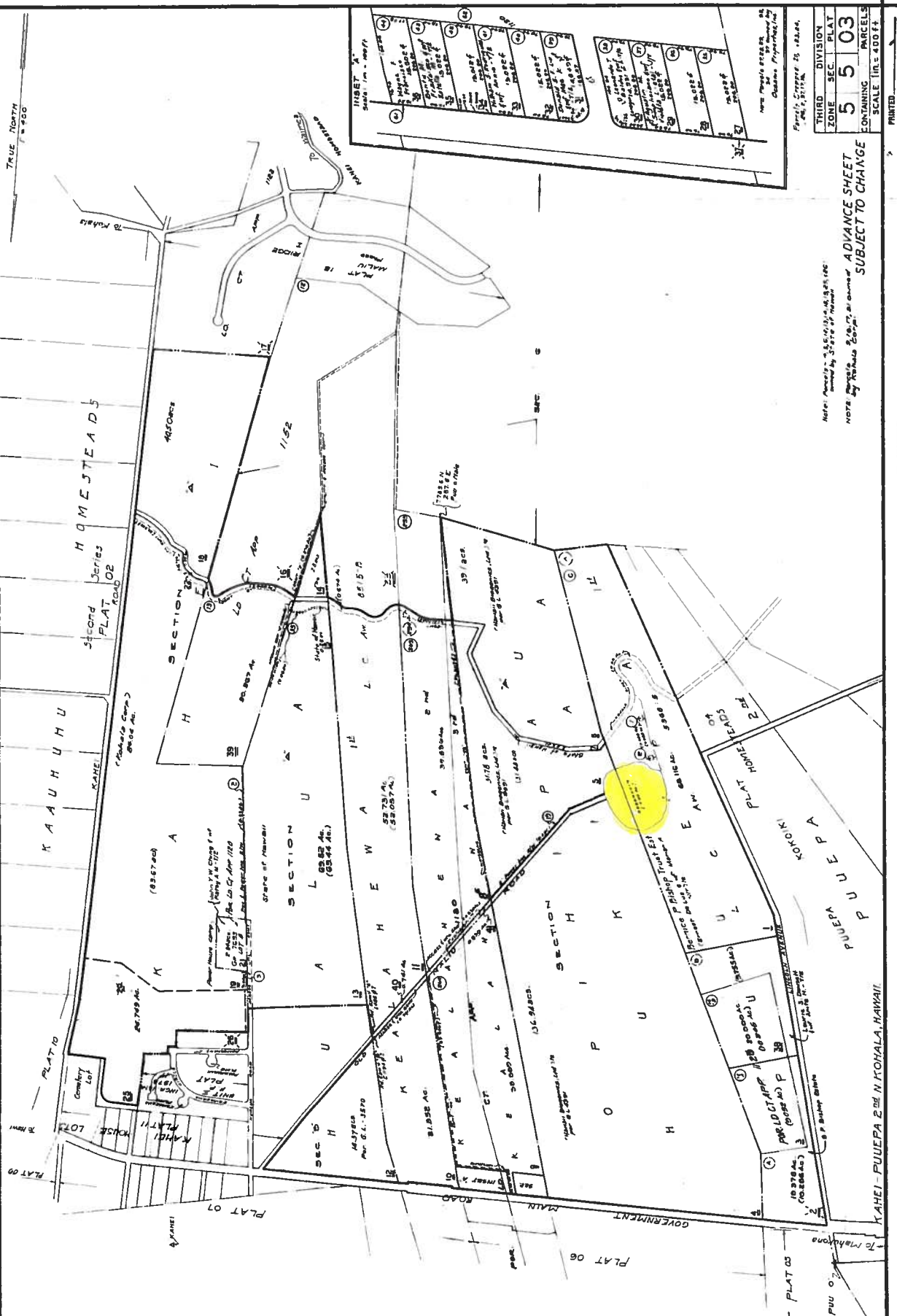
Lydia M. Morikawa
Special Projects and Development Specialist

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson

Attachments



Name: Ameyo - 2, 3, 4, 5, 6, 7, 8, 9, 25, 26

NOTE: Please **9/8/72, owned** **ADVANCE SHEET**
by KIMBLE CO., INC. **SUBJECT TO CHANGE**

THIRD	DIVISION	
ZONE	SEC.	PLAT
5	5	03
CONTAINING		PARCELS
SCALE		1 IN. = 400 FT.

PRINTED

DWG. No. 2914
Source: Box Maps Bureau of Survey Department
by: L.R.H. & R.S. August 1992.

EXHIBIT "A"



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

September 21, 2010

EXEMPTION NOTIFICATION

regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title: DLNR Dams and Reservoirs on Hawaii
Maintenance and Remediation Improvements

Project / Reference No.: D.A.G.S. Job No. 11-23-7408

Project Location: Hawi No. 3 Dam and Reservoir (State ID #HA-0050)
Hawi, Hawaii County, Hawaii
TMK Nos.: (3) 5-5-003:001, 004 & 005

Project Description: Design and repair of the deficiencies of this reservoir –
upstream / downstream slopes, outlet works and inflow feeder
channel; the storage capacity will be modified by reducing the
spillway crest elevation and an improved spillway - to insure
public safety.

Chapter 343 Trigger(s): Use of State funds and on State lands

Exemption Class No. and
Description: 1

In accordance with the Division of Land Management's
Environmental Impact Statement Exemption List, approved by
the Environmental Council and dated April 28, 1986, the
subject project is considered to be exempt from the preparation
of an environmental assessment pursuant to Exemption Class
No. 1, that states: "Operations, repairs or maintenance of
existing structures, facilities, equipment or topographical
features, involving negligible or no expansion or change of use
beyond that previously existing."

The maintenance and improvement project consists of
reduction of the spillway crest elevation to 880 feet that will

EXHIBIT "B"

result in reducing storage volume to approximately 7.4 million gallons (approximately 22.8 ac-ft). This modification will provide sufficient water to meet the immediate needs of the lessee for irrigation and water storage, while at the same time reducing the risk of dam failure. Additional improvements include reconstruction of the spillway and outlet channel, improvements to the outlet works, replacement of pipe culvert, and flattening embankment slopes to a ratio of 3:1.

Appurtenant changes include grading and repair of the inflow feeder channel from the irrigation ditch and access road, and installation of a staff gage.

The maintenance and improvement project is a single action and not a component or incremental action of a larger total undertaking. There is no cumulative impact as this project will serve to ensure that the Dam will continue to function safely as it has been historically, and it will also be in compliance with the Hawaii Dam Safety Act of 2007. Upon repair, the Dam will serve to maintain a safe environment and simultaneously continue to provide an effective water supply.

Exempt Item and Description
from Agency Exemption List:

4 and 5

4) Repair, maintenance and renovation of existing structures on leases state lands. 5) Routine and emergency repair and restoration of existing structures and facilities on State lands involving negligible or no expansion or change or use beyond that previously existing.

Recommendation:

It is recommended that the Board find that this request will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

Laura H. Thielen, Chairperson

Date

CAPITAL PROJECT INFORMATION AND JUSTIFICATION SHEET

TABLE R (continued)

EXPENDING AGENCY:		DLNR
USER PROGRAM ID	CAPITAL PROJECT	
DEPT NUMBER	NUMBER	
LNR 101	J42A	

PROJECT TITLE:	Dam Assessments, Maintenance and Remediation, Statewide	
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PROJECT DESCRIPTION:	Plans, design and construction for assessments, maintenance and remediation of dams under the jurisdiction of the Department of Land and Natural Resources	
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TOTAL ESTIMATED PROJECT COST (in Thousands of Dollars)															TOTAL PROJECT COST	
PRIOR APPROPRIATIONS (Including MOF)						APPROPRIATIONS (Including MOF)										
COST ELEMENT	ACT	YR	ITEM	ACT	YR	ITEM	ACT	YR	ITEM	ACT	YR	ITEM	FY 2010	FY 2011	FUTURE YEARS	
		213	07	K-6		158	08	K-6								
PLANS			1140													
LAND																
DESIGN			2540													
CONSTRUCT			50			16800										
EQUIPMENT																
TOTALS			3730 B			16800 B/C										

PROJECT INFORMATION AND JUSTIFICATION (use back if necessary):

a. Total Scope of Project.

This project will perform assessments, maintenance and remediation work on the 10 regulated dams under the jurisdiction of the Department.

b. Identification of Need and Evaluation of Existing Situation.

This project will address the needs of 10 regulated dams under the jurisdiction of the Department:

Assessments - hydraulic, stability/seepage and seismic analyses, and preparation of Emergency Action Plans (EAPs)

Initial annual maintenance of non-leased dams

Remediation - design and construction of required improvements, which may include new outlet and/or spillway structure, embankment modification, vegetation removal,

spillway repairs or new catwalk

c. Alternatives Considered and Impact if Project is Deferred.

If deferred, public safety may be compromised.

d. Discuss What Improvements Will Take Place When Project Completed (including benefits to be derived and/or deficiencies this project intends to correct).

This project will correct deficiencies in the dams under DLNR jurisdiction and bring them up to current standards.

The breach of Kaloko Dam, with its consequent loss of lives and property damage, draws attention to the critical need for activities to address dam safety.

e. Impact Upon Future Operating Requirements (show initial and ongoing funding requirements by cost element, including position count, means of financing, fiscal year).

Future annual maintenance costs will be sought within the operating budget.

f. Additional Information:

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000's)			
				FISCAL YEAR 2007-08	M O F	FISCAL YEAR 2008-09	M O F

AGS131 - INFORMATION PROCESSING SERVICES

- 4 Q102 LUMP SUM HEALTH AND SAFETY, INFORMATION AND COMMUNICATION SERVICES DIVISION, STATEWIDE

PLANS, LAND ACQUISITION, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR REPAIRS, UPGRADES AND EXPANSION OF CRITICAL COMMUNICATIONS BACKBONE SYSTEMS, INCLUDING THE STATEWIDE ANUENUE AND HAWAIIAN MICROWAVE SYSTEMS AND THE WINDWARD, NORTH SHORE, AND CENTRAL OAHU RADIO SITES.

PLANS	598	24
LAND	3	1
DESIGN	922	125
CONSTRUCTION	3,801	1,800
EQUIPMENT	871	950
TOTAL FUNDING	6,195 C	2,900 C

LNR101 - PUBLIC LANDS MANAGEMENT

5. E00A WAIKIKI BEACH IMPROVEMENTS, OAHU

PLANS AND DESIGN FOR IMPROVEMENTS TO WAIKIKI BEACH.

PLANS	500	
DESIGN	500	
TOTAL FUNDING	500 B	
	250 R	B
	250 S	S

6. J42 DAM ASSESSMENTS MAINTENANCE AND REMEDIATION, STATEWIDE

PLANS, DESIGN, AND CONSTRUCTION FOR ASSESSMENTS, MAINTENANCE, AND REMEDIATION OF DAMS UNDER THE JURISDICTION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES. SPECIAL FUNDS FROM THE SPECIAL LAND AND DEVELOPMENT FUND.

PLANS	1,140	
DESIGN	2,540	
CONSTRUCTION	50	16,800
TOTAL FUNDING	3,730 B	2,270 B
	C	14,530 C

7. J42B ROCKFALL MITIGATION, KAUAI

DESIGN AND CONSTRUCTION FOR ROCKFALL MITIGATION AT VARIOUS LOCATIONS, KAUAI.

DESIGN	100
CONSTRUCTION	700
TOTAL FUNDING	800 C

8. J43A EWA AND KEKAHA PESTICIDE REMEDIATION, STATEWIDE

PLANS, DESIGN, AND CONSTRUCTION TO MITIGATE RISK OF EXPOSURE TO HAZARDOUS

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2007-2008	FISCAL YEAR 2008-2009
		LAND		3	1
		DESIGN		922	125
		CONSTRUCTION		1,801	1,800
		EQUIPMENT		871	950
		TOTAL FUNDING	AGS	6,195 C	2,900 C

LNR101 - PUBLIC LANDS MANAGEMENT

5. E00A WAIKIKI BEACH IMPROVEMENTS, OAHU

PLANS AND DESIGN FOR IMPROVEMENTS TO WAIKIKI BEACH.

PLANS		500	
DESIGN		500	
TOTAL FUNDING	LNR	500 B	B
	LNR	250 R	R
	LNR	250 S	S

6. J42 DAM ASSESSMENTS, MAINTENANCE AND REMEDIATION, STATEWIDE

PLANS, DESIGN AND CONSTRUCTION FOR ASSESSMENTS, MAINTENANCE, AND REMEDIATION OF DAMS UNDER THE JURISDICTION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES. SPECIAL FUNDS FROM THE SPECIAL LAND AND DEVELOPMENT FUND.

PLANS		1,140	
DESIGN		2,540	
CONSTRUCTION		50	16,800
TOTAL FUNDING	LNR	3,730 B	2,270 B
	LNR	C	14,530 C

7. J42B ROCKFALL MITIGATION, KAUAI

DESIGN AND CONSTRUCTION FOR ROCKFALL MITIGATION AT VARIOUS LOCATIONS, KAUAI.

DESIGN		100	
CONSTRUCTION		700	
TOTAL FUNDING	LNR	800 C	C

8. J43A EWA AND KEKAHA PESTICIDE REMEDIATION, STATEWIDE

PLANS, DESIGN, AND CONSTRUCTION TO MITIGATE RISK OF EXPOSURE TO HAZARDOUS MATERIALS AT FORMER PESTICIDE MIXING SITES IN EWA, OAHU AND KEKAHA, KAUAI.

PLANS		80	
DESIGN		20	
CONSTRUCTION		150	
TOTAL FUNDING	LNR	250 C	C

9. J43B LAND MAINTENANCE BASEYARD, HALAWA, OAHU

DESIGN AND CONSTRUCTION FOR BASEYARD FOR LAND MAINTENANCE CREW.

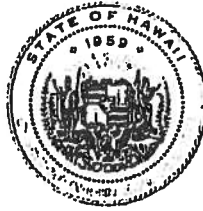
DESIGN		50	
CONSTRUCTION		560	
TOTAL FUNDING	LNR	610 C	C

LINDA LINGLE
GOVERNOR OF HAWAII



RECEIVED
LAND DIVISION

2009 FEB -2 A 10: 28



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

December 18, 2008

LAURA H. THIELEN
CHAIRPERSON
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES MANAGEMENT

RUSSELL V. TSUJI
DIRECTOR

KEN C. KAWAHARA
DEPUTY DIRECTOR

WATER RESOURCES
DIVISION AND LAND RESOURCES
DIVISION
COMMISSION ON WATER RESOURCES MANAGEMENT
CONSERVATION AND RESTORATION
CONSERVATION AND RESTORATION
INTEGRATION

FORESTRY AND WILDLIFE
HAWAIIAN FORESTRY COMMISSION
LAND
STATE PARKS

RECEIVED

DEC 23 2008

BUDGET AND FINANCE
STATE OF HAWAII

TO: THE HONORABLE LINDA LINGLE
Governor, State of Hawaii

THROUGH: THE HONORABLE GEORGINA KAWAMURA
Director of Finance, Department of Budget and Finance

FROM: LAURA H. THIELEN, Chairperson
Department of Land and Natural Resources

SUBJECT: Request to Delegate \$14,530,000 for Dam Assessments, Maintenance and Remediation, Statewide, as Authorized by Act 213, SLH 2007, and as Amended by Act 158, SLH 2008, Item K-6

The Department of Land and Natural Resources (Department) is requesting the delegation of \$14,530,000 in General Obligation Bond funds to the Department of Accounting and General Services - Public Works Division (DAGS-PWD) for the subject project, for the purpose of satisfying the State's obligations under Act 262, the "Hawaii Dam and Reservoir Safety Act of 2007". The purpose of this Act is "to provide for the inspection and regulation of construction, enlargement, repair, alteration, maintenance, operation, and removal of all dams and reservoirs to protect the health, safety, and welfare of the citizens of the State by reducing the risk of failure of all dams or reservoirs." Since the Department, through its Engineering Division Dam Safety Program, is responsible for the inspection and regulation of all of the State's dams and reservoirs, there appears to be a "conflict of interest" for the Department to also be responsible for the party conducting the actual assessment, maintenance and remediation of dams and reservoirs under the Department's regulatory oversight.

Section 160 of Act 213, SLH 2007, as amended by Act 158, SLH 2008 allows, with your approval, the delegation of the implementation of capital improvement projects when it is determined by all involved agencies and parties that it is advantageous to do so.

EXHIBIT "C"

Governor Linda Lingle

Request to Delegate \$14,530,000 for Dam Assessments, Maintenance and Remediation

Page 2

If there are any questions, please contact Mr. Morris M. Atta, Administrator, Land Division at (808) 587-0422.

cc: DLNR – Fiscal Office
DLNR – Engineering
DAGS - PWD

Attachment

RECOMMEND:

☒ APPROVAL

☐ DISAPPROVAL

☒ APPROVED

☐ DISAPPROVED



GEORGINA KAWAMURA, Director of Finance
Department of Budget and Finance

Date

1/27/09



LINDA LINGLE, Governor
State of Hawaii

Date

1/28/09

Department Land and Natural Resources - Land Division

Department Land and Natural Resources - Land Division															
County	INV ID	DAM NAME	Proposed Hazard Classification	Assessment / Reports on File				Annual Maintenance	Deficiency Description / Comments	Process Remediation			OWNER		
				Hydraulic	Stability / Seepage	Seismic	O&M			EAP	Remediation	Engineering		Construction	
Kauai	H00013	UPPER KAPAHU RESERVOIR	H	COE					25,000	Solway is undersized, heavy vegetation, seepage issues, stability issues	New Outlet / Solway Modify Encasement Vegetation Removal	420,000	3,500,000	STATE - DLNR (leasee, East Kauai Water Users Cooperative)	3,920,000
Mau	H00055	WAHIKULI RESERVOIR	H						25,000	Solway deteriorating, Heavy Vegetation	Solway Repairs Vegetation Removal	320,000	3,000,000	West Maui Land Co. / State DLNR	7,740,000
Hawaii	H00050	HAWI NO 3 RESERVOIR	H				4/17/06		25,000	Heavy vegetation, outlet works needs repair	Vegetation Removal	320,000	2,000,000	KAMEHAMEHA SCHOOLS / State - DLNR (leasee, Beane)	9,560,000
Kauai	H000135	HALAMAKU FIELD 21	L/H	COE					25,000	Solway possibly undersized, outlet gate is undersized, should give to either DNR or State Parks	Auxiliary Solway Vegetation Removal	520,000	3,000,000	STATE - DLNR (leasee, East Kauai Water Users Cooperative)	13,080,000
Kauai	H00051	LOWER KAPAHU RESERVOIR	H	Hersa	Mista				25,000	No Solway, outlet is small and dam has overtopped previously, Heavy vegetation on downstream side, pending water on lake	New Outlet / Solway (Consplan) Vegetation Removal	420,000	2,000,000	STATE - DLNR	
Kauai	H00050	WAILUA RESERVOIR	H	COE					25,000	Heavy vegetation, possible seepage on toe	Vegetation Removal	420,000	1,000,000	STATE DLNR (leasee, East Kauai Water Users Cooperative)	
Mau	H00097	KOLEA RESERVOIR	L				3/22/06		25,000	Should be removed if not utilized, Heavy Vegetation no solway	Vegetation Removal	320,000	1,500,000	EAST MAUI IRRIGATION CO (leasee) / State DLNR Land	
Hawaii	H00051	HAWI NO 5 RESERVOIR	H						25,000	Heavy vegetation, outlet works needs repair	New Solway Vegetation Removal	420,000	2,000,000	SURETY KOHALA CORP / STATE - DLNR (leasee, Tropical Ponds HI)	
Kauai	H00083	ANAOA RESERVOIR	H						25,000	Vegetation Removal, Modify Encasement (Address Seepage)	Vegetation Removal	320,000	2,000,000	STATE - DLNR (leasee, East Kauai Water Users Cooperative)	
Hawaii	H00043	PUUKAPU WATERSHED RETAINING DAM R-1	H						25,000			100,000	100,000	STATE - DLNR	10,600,000
FY08 CIP Request															
FY07										FY10				FY11	
total										total				total	
3,540,000										2,000,000				1,160,000	
20,100,000										8,500,000				4,500,000	
														4,100,000	
														10,600,000	
23,640,000															
14,530,000															
9,150,000															

Annual Maintenance

LINDA LINGLE
GOVERNOR



RECEIVED - DAGS
OF PUBLIC WORKS

2004 JUL 10 A 10:13

RUSS K. SAITO
COMPTROLLER

BARBARA A. ANNIS
DEPUTY COMPTROLLER

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
P.O. BOX 119, HONOLULU, HAWAII 96810

AP 09.0031
S-075.9

JUN 30 2009

PERMISSION TO ADVERTISE FOR BIDS
AND ALLOTMENT REQUEST

TO: The Honorable Linda Lingle
Governor of Hawaii

THROUGH: The Honorable Georgina K. Kawamura
Director of Finance

FROM: Russ K. Saito
State Comptroller

SUBJECT: Request Permission to Advertise for Bids and Release of the Design and Construction Funds for the Department of Land and Natural Resources (DLNR) Dams and Reservoirs, Maintenance and Remediation Improvements, Statewide, as Authorized by Act 213, SLH 2007, Item K-6, as Amended by Act 158, SLH 2008

DIVISION OF PUBLIC WORKS		
TO:	INITIAL:	FOR:
<input checked="" type="checkbox"/> PW Adm	<input checked="" type="checkbox"/>	Approval
<input type="checkbox"/> PW Sec	<input type="checkbox"/>	Signature
<input checked="" type="checkbox"/> Staff Svcs Office	<input checked="" type="checkbox"/>	Information
<input type="checkbox"/> Planning Br	<input type="checkbox"/>	Your File
<input type="checkbox"/> Proj Mgmt Br	<input type="checkbox"/>	See Me
<input type="checkbox"/> Construction Mgmt Br	<input type="checkbox"/>	Comments
<input type="checkbox"/> Technical Svcs Office	<input type="checkbox"/>	Investigate &
<input type="checkbox"/> Leasing Br	<input type="checkbox"/>	Report

Permission is requested to advertise for bids and for the release of \$14,530,000 in general obligation bond funds to finance the design and construction of the following three projects:

Project 1: DLNR Dams and Reservoirs on Hawaii
Maintenance and Remediation Improvements
DAGS Job No. 11-23-7381

1. This request seeks allotments of \$840,000 in design funds to finance the design and \$2,235,000 in construction funds to finance the construction of this project. The total cost of this project is estimated to be \$4,940,000.
2. The Department of Accounting and General Services' (DAGS) design support cost is \$20,000 and inspection support cost is \$5,000.

Project 2: DLNR Dams and Reservoirs on Kauai
Maintenance and Remediation Improvements
DAGS Job No. 14-23-7382

1. This request seeks allotments of \$2,090,000 in design funds to finance the design and \$6,269,000 in construction funds to finance the construction of this project. The total cost of this project is estimated to be \$13,600,000.

EXHIBIT "C"

The Honorable Linda Lingle
Letter No. S-075.9
Page Two

2. DAGS' design support cost is \$30,000 and inspection support cost is \$1,000.

Project 3: DLNR Dams and Reservoirs on Maui
Maintenance and Remediation Improvements
DAGS Job No. 15-23-7383

1. This request seeks allotments of \$640,000 in design funds to finance the design and \$2,456,000 in construction funds to finance the construction of this project. The total cost of this project is estimated to be \$5,140,000.
2. DAGS' design support cost is \$20,000 and inspection support cost is \$5,000.

Additional information or comments:

1. The DLNR high priority projects shown on Attachment "A" will involve design and construction of maintenance and remediation improvements for dam and reservoir facilities on the islands of Hawaii (3 sites), Kauai (5 sites), and Maui (2 sites). The work could also include any other projects that may become necessary although they are not currently listed. These DLNR projects are needed to address public safety issues and to maintain functional operations of the dam and reservoir facilities in accordance with the "Hawaii Dam and Reservoir Safety Act of 2007."
2. The work will include the development of "Operation and Maintenance (O&M)" manuals for the ten high priority DLNR dam and reservoir facilities.
3. The work will also include the implementation of Quality Assurance Programs by specialty consultants during the construction of the DLNR dam and reservoir remediation improvement projects.
4. The primary alternative would be to defer such work. However, the future costs will increase as the conditions further deteriorate and the costs of materials and labor increase. The risk to public safety from flooding damage will continue to increase if the remediation improvements are not done. DLNR staff need the O&M manuals to mitigate against their dams and reservoirs experiencing functional and/or operational failures. The required remediation improvements need to be done properly to address the public safety issues, as well as facilitate continued functional operations of the DLNR dams and reservoirs.
5. By allotting the funds for the subject projects, we understand that you are signifying your approval for DAGS to:

- a. Use its discretion and best judgment to supplement any project that may need additional funds to be completed and in the evaluation of bid results for the completion of as many projects as possible with the total allotted construction funds.
 - b. Award construction contracts and give notice to proceed to the lowest responsive and responsible bidders if DAGS, in coordination with DLNR, determines that their bids are justified and/or reasonable. We will not award the construction contracts for projects that we determine will exceed the total allotted construction funds and, in that case, we will notify you immediately to recommend suitable funding alternative.
6. DAGS' design and inspection support costs are needed to print bid sets, addenda, change orders, as-built sepias, and advertisements. The costs will also include motor pool rental/mileage, airline tickets, car rental, per diem, office supplies, field supplies, delivery services, and other miscellaneous expenses.
7. The total cost for all of the DLNR high priority projects is estimated to be \$23,680,000. Of that amount, \$14,530,000 have been delegated from DLNR to DAGS (see the attached letter dated December 18, 2008 labeled as Attachment B which was approved by you on January 28, 2009) and that amount is now being requested for allotment.

The DLNR's Land Division Administrator has requested that these projects be started and ensures that there are adequate funds currently appropriated for the design of these projects. Since \$14,530,000 are currently appropriated and being requested for these projects, an additional \$9,150,000 will probably be required to complete the construction of these projects. The DLNR Land Division ensures that the additional CIP funds required to complete the construction work for the ten high priority dam and reservoir facilities have been included in their executive budget request for fiscal year 2009-2010.

The Public Works Administrator ensures that upon completion, these projects will comply with the applicable County's building permit requirements.

Department contact: Mr. Joseph Earing at 586-0486

Attachment

c: DBF
DAGS-TSO
DAGS-PWD, PB
DLNR-Land Division

The Honorable Linda Lingle
Letter No. S-075.9
Page Four

Department of Land and Natural Resources Dams and Reservoirs
Maintenance and Remediation Improvements, Statewide
DAGS Job Nos. 11-23-7381, 14-23-7382, 15-23-7383

RECOMMEND:

☒ APPROVAL ☐ DISAPPROVAL



DIRECTOR OF FINANCE

Date: 7/8/09

☒ APPROVED ☐ DISAPPROVED



GOVERNOR OF HAWAII

Date: 7/8/09

SUMMARY OF PROPOSED EXPENDITURES FOR D.A.G.S. JOB NO. 11-23-7381 DATE: 6/26/2009 BRANCH: PM.
 PROJECT: DLNR DAMS AND RESERVOIRS ON HAWAII DEPT. PRIORITY NO.: N/A
 TITLE: MAINTENANCE AND REMEDIATION IMPROVEMENTS CAPITAL PROJECT NO. J42

COST ELEMENTS / SOURCE OF FUNDS	TRANSFER IN [DESIGN]	TRANSFER IN [CONSTR.]	FUTURE CIP FUNDS [CONSTR.]	TOTALS
1. LAND ACQUISITION	\$0	\$0	\$0	\$0
A. Land				
B. Consultant Services				
C. Staff Support				
2. DESIGN	\$840,000	\$0	\$0	\$840,000
A. Consultant Services 1]	\$820,000			\$820,000
B. Staff Support	\$20,000			\$20,000
3. CONSTRUCTION	\$0	\$2,235,000	\$0	\$4,100,000
A. Building	\$0	\$2,133,000	\$0	\$3,940,000
(1) Basic Bid		\$2,033,000	\$1,720,000	\$3,753,000
(2) Alternates				\$0
(3) Contingency		\$100,000		\$187,000
C. Utilities			\$87,000	\$0
D. Consultant Services 2]		\$97,000	\$59,000	\$155,000
E. Staff Support		\$5,000		\$5,000
4. WORKS OF ART				\$0
TOTAL PROJECT COST	\$840,000	\$2,235,000	\$0	\$4,940,000
ALLOTED PROGRAMMED *				\$0
ALLOTMENT REQUEST	\$840,000	\$2,235,000		\$3,075,000
UNALLOTED PROGRAMMED			\$1,865,000	\$1,865,000
FUNDS APPROPRIATED	\$840,000	\$2,235,000	\$0	\$3,075,000
ALLOTED UNPROGRAMMED *				\$0

COMMENTS:

- 3] 4]
 1] INCLUDES SERVICES FOR ASSESSMENTS, SPECIAL PERMITTING, AND O&M MANUAL
 2] INCLUDES SERVICES FOR QUALITY ASSURANCE PROGRAM.
 3] TRANSFER IN FROM: 158/08, 5, K-6, B08-430C (C), UNALLOTED \$840,000 } AS AUTHORIZED BY SECTIONS 152 & 160 OF THE SPECIAL PROV.
 THROUGH: 158/08, 5, K-6, B08-828M (C)
 TO: 158/08, 5, K-6, B08-829M (D)
 4] TRANSFER IN FROM: 158/08, 5, K-6, B08-430C (C), UNALLOTED \$2,235,000 } AS AUTHORIZED BY SECTION 160 OF THE SPECIAL PROVISIONS
 TO: 158/08, 5, K-6, B08-828M (C)

BID AWARD DATE: 6/2010

* AA NOS. AND DATES	START DATES	COMPLETION DATES
DESIGN	Jul-09	Mar-10 **
CONSTR.	Sep-10	Dec-11

DPW FORM 17 (Revised 7/2004)

** THIS IS ALSO THE ADVERTISEMENT FOR BIDS DATE

JOB I.D. # 13508

SUMMARY OF PROPOSED EXPENDITURES FOR D.A.G.S. JOB NO. 14-23-7382 DATE: 6/26/2009 BRANCH: PM
 PROJECT: DLNR DAMS AND RESERVOIRS ON KAUAI DEPT. PRIORITY NO. N/A
 TITLE: MAINTENANCE AND REMEDIATION IMPROVEMENTS CAPITAL PROJECT NO J42

COST ELEMENTS / SOURCE OF FUNDS	TRANSFER IN [DESIGN]	TRANSFER IN [CONSTR.]	FUTURE CIP FUNDS [CONSTR.]	TOTALS
1. LAND ACQUISITION	\$0	\$0	\$0	\$0
A. Land				
B. Consultant Services				
C. Staff Support				
2. DESIGN	\$2,090,000	\$0	\$0	\$2,090,000
A. Consultant Services 1)	\$2,060,000			\$2,060,000
B. Staff Support	\$30,000			\$30,000
3. CONSTRUCTION	\$0	\$6,269,000	\$5,241,000	\$11,510,000
A. Building	\$0	\$5,918,000	\$5,078,000	\$10,996,000
(1) Basic Bid		\$5,636,000	\$4,836,000	\$10,472,000
(2) Alternates				\$0
(3) Contingency		\$282,000	\$242,000	\$524,000
C. Utilities				\$0
D. Consultant Services 2)		\$350,000	\$163,000	\$513,000
E. Staff Support		\$1,000		\$1,000
4. WORKS OF ART				\$0
TOTAL PROJECT COST	\$2,090,000	\$6,269,000	\$5,241,000	\$13,600,000
ALLOTTED PROGRAMMED *				\$0
ALLOTMENT REQUEST	\$2,090,000	\$6,269,000		\$8,359,000
UNALLOTED PROGRAMMED			\$5,241,000	\$5,241,000
FUNDS APPROPRIATED	\$2,090,000	\$6,269,000	\$0	\$8,359,000
ALLOTTED UNPROGRAMMED *				\$0

COMMENTS:

1) INCLUDES SERVICES FOR ASSESSMENTS, SPECIAL PERMITTING, AND O&M MANUAL

2) INCLUDES SERVICES FOR QUALITY ASSURANCE PROGRAM

3) TRANSFER IN FROM: 158/08, 5, K-6, B08-430C (C), UNALLOTED \$2,090,000 } AS AUTHORIZED BY SECTIONS 152 & 160 OF THE SPECIAL PROV.

THROUGH: 158/08, 5, K-6, B08-828M (C)

TO: 158/08, 5, K-6, B08-829M (D)

4) TRANSFER IN FROM: 158/08, 5, K-6, B08-430C (C), UNALLOTED \$6,269,000 } AS AUTHORIZED BY SECTION 160 OF THE SPECIAL PROVISIONS

TO: 158/08, 5, K-6, B08-828M (C)

BID AWARD DATE: 6/2010

* AA NOS. AND DATES

COMPLETION DATES

Mar-10 **

Dec-11

JOB I.D. # 13509

** THIS IS ALSO THE ADVERTISEMENT FOR BIDS DATE

DPW FORM 17 (Revised 7/2004)

SUMMARY OF PROPOSED EXPENDITURES FOR D.A.G.S. JOB NO. 15-23-7383 DATE: 6/26/2009 BRANCH: PM
 PROJECT: DLNR DAMS AND RESERVOIRS ON MAUI DEPT. PRIORITY NO N/A
 TITLE: MAINTENANCE AND REMEDIATION IMPROVEMENTS CAPITAL PROJECT NO. J42

COST ELEMENTS / SOURCE OF FUNDS	TRANSFER IN [DESIGN]	TRANSFER IN [CONSTR.]	FUTURE CIP FUNDS [CONSTR.]	TOTALS
1. LAND ACQUISITION	\$0	\$0	\$0	\$0
A. Land				
B. Consultant Services				
C. Staff Support				
2. DESIGN	\$640,000	\$0	\$0	\$640,000
A. Consultant Services 1	\$620,000			\$620,000
B. Staff Support	\$20,000			\$20,000
3. CONSTRUCTION	\$0	\$2,456,000	\$0	\$2,456,000
A. Building	\$0	\$2,380,000	\$0	\$2,380,000
(1) Basic Bid		\$2,267,000	\$0	\$2,267,000
(2) Alternates			\$1,886,000	\$1,886,000
(3) Contingency				
C. Utilities		\$113,000	\$94,000	\$207,000
D. Consultant Services 2		\$71,000	\$64,000	\$135,000
E. Staff Support		\$5,000		\$5,000
4. WORKS OF ART				
TOTAL PROJECT COST	\$640,000	\$2,456,000	\$0	\$3,096,000
ALLOTTED PROGRAMMED *			\$0	\$0
ALLOTMENT REQUEST	\$640,000	\$2,456,000		\$3,096,000
UNALLOTED PROGRAMMED			\$2,044,000	\$2,044,000
FUNDS APPROPRIATED	\$640,000	\$2,456,000	\$0	\$3,096,000
ALLOTTED UNPROGRAMMED *				\$0

COMMENTS: 3 4
 1) INCLUDES SERVICES FOR ASSESSMENTS, SPECIAL PERMITTING, AND O&M MANUAL
 2) INCLUDES SERVICES FOR QUALITY ASSURANCE PROGRAM
 3) TRANSFER IN FROM: 158/08, 5, K-6, B08-430C (C), UNALLOTED \$640,000 } AS AUTHORIZED BY SECTIONS 152 & 160 OF THE SPECIAL PROV.
 THROUGH: 158/08, 5, K-6, B08-828M (C)
 TO: 158/08, 5, K-6, B08-829M (D)
 4) TRANSFER IN FROM: 158/08, 5, K-6, B08-430C (C), UNALLOTED \$2,456,000 } AS AUTHORIZED BY SECTION 160 OF THE SPECIAL PROVISIONS
 TO: 158/08, 5, K-6, B08-828M (C)
 BID AWARD DATE: 6/2010

DESIGN	AA NOS. AND DATES	START DATES	COMPLETION DATES
CONSTR		Jul-09	Mar-10 **
		Sep-10	Dec-11

DPW FORM 17 (Revised 7/2004) ** THIS IS ALSO THE ADVERTISEMENT FOR BIDS DATE JOB I.D. # 13510